YONEZAWA ET AL. – U.S. Patent Application No. 09/873,408
Attorney Docket No.: 008312-0281351   - RCF. Amendment -

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

In the Final Office Action dated January 20, 2006, the Examiner rejected claims 1 and 5, under 35 U.S.C. §102(b), as allegedly being anticipated by Yamamoto '826 (U.S. Patent No. 6,028,826); and rejected claim 2, under 35 U.S.C. §103(a), as allegedly being unpatentable over Yamamoto '826 in view of Baba '227 (U.S. Patent No. 5,762,227).

By this Amendment, Applicants have amended independent claim 1 to provide a clearer presentation of the claimed subject matter. Applicants submit that no new matter has been introduced.

Applicants respectfully traverse the prior art rejections, under 35 U.S.C. §102(b) and §103(a), for the following reasons:

I. Rejections of Claims 1, 2, & 5 Under 35 U.S.C. §102(b) and §103(a).

As indicated above, independent claim 1 now positively recites the use of a change-over switch means configured to switch an arithmetic processing method in the compensation means in accordance with a tracking control state. Claim 1 further positively recites that the change-over switch means corrects reversion of polarity, when the polarity of a detection signal detected by the tracking detection means is reversed while the objective lens is being tracked to a desired position. These features are amply supported by the embodiments disclosed in the Specification. (*See, e.g.*, Original Specification, page 47, line 14 – page 48, line 8).

In contrast to the Examiner's assertions, there is nothing in either the Yamamoto '826 or Baba '227 reference, whether taken alone or in reasonable combination, that teach or suggest the combination of features recited by amended

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claim 1. In particular, <u>Yamamoto '826</u> teaches that, for loop gain adjustments in the focusing control system, controller **150** sends a signal to the external disturbance generator **132** to adjust the loop gain in the focusing control system, thereby applying an external disturbance to the focusing control system. When abnormality detector **131** detects an abnormality, such as a lack of RF signal due to a scratch, vibration, or the like, controller **150** sends a signal to the external disturbance generator **132** to stop the output of the external disturbance for measurement. When abnormality detector **131** no longer detects an abnormality, controller **150** resumes sending a signal to the external disturbance generator **132** to output the external disturbance. (*See, e.g.,* <u>Yamamoto '826</u>: col. 15, lines 35-50; FIG. 1, 9A).

In addition, for loop gain adjustments in the tracking control system, <u>Yamamoto '826</u> teaches that controller **150** sends a signal to the external disturbance generator **134** to adjust the loop gain in the tracking control system, in order to apply an external disturbance to the tracking control system. And, when the abnormality detector **131** detects an abnormality, controller **150** sends a signal to external disturbance generator **134** to stop the output of the external disturbance for measurement. When abnormality detector **131** no longer detects an abnormality, controller **150** resumes sending a signal to external disturbance generator **132** to output the external disturbance. (*See, e.g.,* <u>Yamamoto '826</u>: col. 16, lines 1-9; FIG. 1, 9B).

Based on these disclosures, there is absolutely nothing in <u>Yamamoto '826</u> that teaches a change-over switch means configured to switch an arithmetic processing method in the compensation means in accordance with a tracking control state, as required by claim 1. In addition, there is nothing in <u>Yamamoto '826</u> that teaches or suggest that the change-over switch means corrects reversion of polarity, when the polarity of a detection signal detected by the tracking detection means is reversed while the objective lens is being tracked to a desired position, as required by claim 1.

Moreover, <u>Baba '227</u> fails to correct the deficiencies of <u>Yamamoto '826</u>, identified above. Specifically, <u>Baba '227</u> teaches the use of a phase compensator **50** for stabilizing the tracking servo loop, a driver **51**, a tracking actuator **52**, and a driving

addition point 53 for adding a signal from the adjuster 38 to the tracking servo loop constitute the tracking servo loop. With this configuration, as the two servo loops are ON, the adjuster 38 outputs a driving signal for driving the tracking actuator 52 to the driving addition point 53, and the tracking actuator 52 is driven to oscillate the objective lens 7 within a range of one track. (*See, e.g.*, Baba '227: col. 22, lines 21-39, FIG. 23).

However, like Yamamoto '826, Baba '227 clearly fails to teach a change-over switch means configured to switch an arithmetic processing method in the compensation means in accordance with a tracking control state – much less suggesting that the change-over switch means corrects reversion of polarity, when the polarity of a detection signal detected by the tracking detection means is reversed while the objective lens is being tracked to a desired position, as required by claim 1.

For at least these reasons, Applicants submit that neither Yamamoto '826 nor Baba '227, whether taken alone or combined, teach or suggest the combination of features recited by amended independent claim 1. Applicants therefore submit that claims 1, 2, 5 are clearly patentable over these references. Accordingly, Applicants request the immediate withdrawal of the rejections of claims 1 and 5, under §102(b) as well as the withdrawal of claim 2, under §103(a).

II.   Conclusion.

All matters having been addressed and in view of the foregoing, Applicants respectfully request the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicants' Counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter.

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Please charge any fees associated with the submission of this paper to Deposit Account Number 033975, Order No. 008312-0281351. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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